

111TH CONGRESS  
1ST SESSION

# S. 2865

To reauthorize the Congressional Award Act (2 U.S.C. 801 et seq.), and  
for other purposes.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 10, 2009

Mr. LIEBERMAN (for himself and Ms. COLLINS) introduced the following bill;  
which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To reauthorize the Congressional Award Act (2 U.S.C. 801  
et seq.), and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Congressional Award  
5       Program Reauthorization Act of 2009”.

6       **SEC. 2. CONGRESSIONAL AWARD PROGRAM.**

7       (a) IMPLEMENTATION AND PRESENTATION.—Section  
8       102 of the Congressional Award Act (2 U.S.C. 802) is  
9       amended—

1 (1) in the matter following subsection (b)(5), by  
2 striking “under paragraph (3)”; and

3 (2) in subsection (c), in the second sentence, by  
4 striking “during” and inserting “in connection  
5 with”.

6 (b) TERMS OF APPOINTMENT AND REAPPOINT-  
7 MENTS.—Section 103 of the Congressional Award Act (2  
8 U.S.C. 803) is amended by striking subsection (b) and in-  
9 serting the following:

10 “(b) TERMS OF APPOINTED MEMBERS; REAPPOINT-  
11 MENT.—

12 “(1) Appointed members of the Board shall  
13 continue to serve at the pleasure of the officer by  
14 whom they are appointed, and (unless reappointed  
15 under paragraph (2)) shall serve for a term of 4  
16 years.

17 “(2)(A) Subject to the limitations in subpara-  
18 graph (B), members of the Board may be re-  
19 appointed, except that no member may serve more  
20 than 2 full consecutive terms. Members may be re-  
21 appointed to 2 full consecutive terms after being ap-  
22 pointed to fill a vacancy on the Board.

23 “(B) Members of the Board shall not be subject  
24 to the limitation on reappointment in subparagraph  
25 (A) during their period of service as Chairman of

1 the Board and may be reappointed to an additional  
 2 full term after termination of such Chairmanship.

3 “(3)(A) Notwithstanding paragraph (1) or (2),  
 4 the term of each member of the Board shall begin  
 5 on October 1 of the even numbered year which  
 6 would otherwise apply with one-half of the Board po-  
 7 sitions having terms which begin in each even num-  
 8 bered year.

9 “(B) Subparagraph (A) shall apply to appoint-  
 10 ments made to the Board on or after the date of en-  
 11 actment of the Congressional Award Program Reau-  
 12 thorization Act of 2009.”.

13 (c) REQUIREMENTS REGARDING FINANCIAL OPER-  
 14 ATIONS.—Section 104(c) of the Congressional Award Act  
 15 (2 U.S.C. 804(c)) is amended—

16 (1) in paragraph (1), in the third sentence, by  
 17 striking “, in any calendar year,” and inserting “in  
 18 any fiscal year”; and

19 (2) by striking paragraph (2) and inserting the  
 20 following

21 “(2)(A) The Comptroller General of the United  
 22 States shall determine for each fiscal year whether  
 23 the Director has substantially complied with para-  
 24 graph (1). The findings made by the Comptroller  
 25 General under the preceding sentence shall be in-

1       cluded in the reports submitted under section  
2       107(b).

3               “(B) If the Director fails to substantially com-  
4       ply with paragraph (1), the Board shall instruct the  
5       Director to take such actions as may be necessary  
6       to correct such deficiencies, and shall remove and re-  
7       place the Director if such deficiencies are not  
8       promptly corrected.”.

9       (d) FUNDING AND EXPENDITURES.—Section 106(a)  
10      of the Congressional Award Act (2 U.S.C. 806(a)) is  
11      amended by striking paragraph (1) and inserting the fol-  
12      lowing:

13               “(1) the Board shall carry out its functions and  
14      make expenditures with—

15               “(A) such resources as are available to the  
16      Board from sources other than the Federal  
17      Government; and

18               “(B) funds awarded in any grant program  
19      administered by a Federal agency in accordance  
20      with the law establishing that grant program.”.

21      (e) STATEWIDE CONGRESSIONAL AWARD COUN-  
22      CILS.—Section 106(c) of the Congressional Award Act (2  
23      U.S.C. 806(c)) is amended by striking paragraph (4) and  
24      inserting the following:

1           “(4) Each Statewide Council established under  
2           this section may receive contributions, and use such  
3           contributions for the purposes of the Program. The  
4           Board shall adopt appropriate financial management  
5           methods in order to ensure the proper accounting of  
6           these funds. Each Statewide Council shall comply  
7           with subsections (a), (d), (e), and (h) governing the  
8           Board.”.

9           (f) CONTRACTING AND USE OF FUNDS FOR SCHOL-  
10          ARSHIPS.—Section 106 of the Congressional Award Act  
11          (2 U.S.C. 806) is amended—

12                 (1) in subsection (d), by inserting “to be” after  
13                 “expenditure is”; and

14                 (2) in subsection (e)(1)(A), by inserting “or for  
15                 scholarships” after “local program”.

16          (g) NONPROFIT CORPORATION.—Section 106 of the  
17          Congressional Award Act (2 U.S.C. 806) is amended by  
18          striking subsection (i) and inserting the following:

19                 “(i)(1) The Board shall provide for the incorporation  
20                 of a nonprofit corporation to be known as the Congres-  
21                 sional Award Foundation (together with any subsidiary  
22                 nonprofit corporations determined desirable by the Board,  
23                 collectively referred to in this title as the ‘Corporation’)  
24                 for the sole purpose of assisting the Board to carry out  
25                 the Congressional Award Program, and shall delegate to

1 the Corporation such duties as it considers appropriate,  
 2 including the employment of personnel, expenditure of  
 3 funds, and the incurrence of financial or other contractual  
 4 obligations.

5 “(2) The articles of incorporation of the Congres-  
 6 sional Award Foundation shall provide that—

7 “(A) the members of the Board of Directors of  
 8 the Foundation shall be the members of the Board,  
 9 with up to 24 additional voting members appointed  
 10 by the Board, and the Director who shall serve as  
 11 a nonvoting member; and

12 “(B) the extent of the authority of the Founda-  
 13 tion shall be the same as that of the Board.

14 “(3) No director, officer, or employee of any corpora-  
 15 tion established under this subsection may receive com-  
 16 pensation, travel expenses, or benefits from both the Cor-  
 17 poration and the Board.”.

18 (h) TERMINATION.—

19 (1) IN GENERAL.—Section 108 of the Congres-  
 20 sional Award Act (2 U.S.C. 808) is amended by  
 21 striking “October 1, 2009” and inserting “October  
 22 1, 2013”.

23 (2) EFFECTIVE DATE.—This subsection shall  
 24 take effect as of October 1, 2009.

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